

district court a libel praying seizure and condemnation of 26 cards, each holding 48 small packages of aspirin tablets at Kansas City, Mo. On April 27, 1933, the United States attorney for the Northern District of Illinois filed a libel against 104,612 envelopes of aspirin tablets at Chicago, Ill., and on May 3, 1933, the United States attorney for the District of Massachusetts filed a libel against 5 dozen bottles of aspirin tablets at Boston, Mass. It was alleged in the libels that the article had been shipped in interstate commerce, between the dates of February 20 and April 8, 1933; that the shipments had been made by the Mills Sales Co., that the lots seized at Chicago and Boston had been shipped from New York, N.Y., that the lot seized at Kansas City, Mo., had been shipped from Chicago, Ill.; and that the article was adulterated and misbranded in violation of the Food and Drugs Act as amended.

The libels alleged that the article was adulterated in that its strength fell below the professed standard of quality under which it was sold, namely: (Label of lot at Kansas City, Mo., retail package) "Certified Pure Aspirin 5 Grain Tablets"; (display card) "5 Grain Tablets Certified Aspirin Pure"; (label of lot at Chicago) "Certified Pure Aspirin Five Grain Tablets"; (label of lot at Boston, bottle) "Tablets Aspirin Acetyl Salicylic Acid Five Grains." Misbranding was alleged for the reason that the following statements in the labeling were false and misleading: (First lot) "Certified Pure Aspirin 5 Grain Tablets" and "5 Grain Tablets Certified Aspirin Pure, \* \* \* Hospital Standard"; (second lot) "Certified Pure Aspirin Five Grain Tablets"; (third lot) "Tablets Aspirin Acetyl Salicylic Acid Five Grains." Misbranding was alleged with respect to the portion of the article seized at Kansas City Mo., for the further reason that the statements on the display card, "Recommended for \* \* \* Neuritis \* \* \* and other Aches & Pains, \* \* \* To prevent gastric disturbances", were statements regarding the therapeutic or curative effects of the article, and were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

No claim or appearance was entered in the cases. On June 12, 1933, judgment was entered in the case instituted in the District of Massachusetts, ordering that the product be forfeited and destroyed. Similar decrees were entered in the remaining cases: On June 16, at Chicago, Ill., and on July 26, 1933, at Kansas City, Mo.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21179. Adulteration and misbranding of Acme Medicated Stock Salt. U. S. v. Twenty-Three 25-Pound Bags, et al., of Acme Medicated Stock Salt. Default decree of condemnation, forfeiture, and destruction. F. & D. no. 29910. Sample no. 34878-A.)**

This case involved a medicated salt which was represented to contain yeast. No yeast was found in the samples of the product examined by this Department.

On March 9, 1933, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of twenty-three 25-pound bags, sixteen 50-pound bags, and twenty-one 100-pound bags of Acme Medicated Stock Salt at Swoyersville, Pa., alleging that the article had been shipped in interstate commerce, on or about December 24, 1932, by the Acme Stock Salt Corporation, from Fostoria, Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by this Department showed that it consisted of sodium chloride (79.7 percent), calcium carbonate, magnesium sulphate, iron sulphate, and small proportions of sodium bicarbonate, sulphur, fenugreek, quassia, nux vomica, potassium iodide, and charcoal. No yeast was found.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard and quality under which it was sold, namely, (sack) "Yeastolized \* \* \* Yeast."

Misbranding was alleged for the reason that the statements on the sack, "Yeastolized \* \* \* Yeast", were false and misleading.

On June 28, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*